

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

OBJET GEOMETRIES, LTD.
and STRATASYS, INC.

Plaintiffs,

v.

3D SYSTEMS, INC.

Defendant.

Civil Action No. 05-136-JRT/FLN

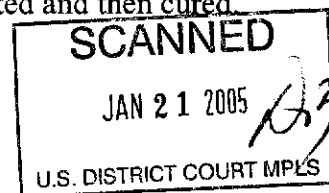
JURY TRIAL DEMANDED

COMPLAINT

Plaintiffs Objet Geometries, Ltd. and Stratasys, Inc., for their Complaint against
defendant 3D Systems, Inc., allege and aver as follows:

PARTIES

1. Plaintiff Objet Geometries, Inc. ("Objet") is an Israeli corporation having a principal place of business at 2 Holzman Street, Science Park, P.O. Box 2496, Rehovot, Israel 76124.
2. Plaintiff Stratasys, Inc. ("Stratasys") is a Delaware corporation having a principal place of business at 14950 Martin Drive, Eden Prairie, Minnesota 55344-2020.
3. Upon information and belief, defendant 3D Systems, Inc. ("3D") is a California corporation having a place of business at 26081 Avenue Hall, Valencia, California 91355.
4. Objet develops, manufactures, sells and services rapid prototype ("RP") systems that are used to build three-dimensional solid representations from computer-aided designs. Objet's systems are based on photopolymer jetting technology, in which three dimensional objects are formed from thin layers of UV curable polymer that are jetted and then cured.



5. Stratasys also develops, manufactures, sells and services RP systems.

6. In August of 2003, Stratasys and Objet entered into an exclusive distributorship agreement whereby Stratasys became the exclusive distributor of Objet's RP systems in North America. As the exclusive North American distributor of Objet's RP systems, Stratasys markets and sells Objet's RP machines and supplies to customers in the United States. All sales of Objet's RP machines in the United States since August of 2003 have been to Stratasys in Minnesota, who then resells the machines to end users. In addition, Stratasys provides support and maintenance services for Objet machines sold to end-users in the United States. Stratasys also maintains sample Objet machines for demonstrative purposes in Minnesota

7. 3D also develops, manufactures and sells RP systems. 3D recently introduced its InVision line of RP systems, which create three-dimensional models by jetting a UV-cured photopolymer.

JURISDICTION

8. This is an action for patent infringement and for declaratory judgment, both arising under the Acts of Congress relating to patents, 35 U.S.C § 1, et seq.

9. Jurisdiction arises under 28 U.S.C. §§ 1331 and 1338(a), and the Federal Declaratory Judgment Act, 28 U.S.C. §2201, et seq.

GENERAL ALLEGATIONS – PATENT INFRINGEMENT

10. On February 15, 1994, U.S. Patent No. 5,287,435 entitled "Three Dimensional Modeling" ("the '435 patent") was duly and legally issued to Cubital Ltd. ("Cubital") of Herzlia, Israel, as assignee of the inventors Cohen et al. A copy of the '435 patent is attached as Exhibit A.

11. On January 31, 1995, U.S. Patent No. 5,386,500 entitled "Three Dimensional Modeling Apparatus" ("the '500 patent") was duly and legally issued to Cubital as assignee of the inventors Pomerantz et al. A copy of the '500 patent is attached as Exhibit B.

12. On May 21, 1996, U.S. Patent No. 5,519,816 entitled "Three Dimensional Modeling Apparatus" ("the '816 patent") was duly and legally issued to Cubital as assignee of the inventors Pomerantz et al. A copy of the '816 patent is attached as Exhibit C.

13. On or about January 23, 2001, Cubital assigned all of its rights in the '435, '500, and '816 patents to Objet. As a result of these assignments, Objet is currently the owner of the entire right, title, and interest in the '435, '500 and '816 patents.

**COUNT I
INFRINGEMENT OF U.S. PATENT NO. 5,287,435**

14. Objet repeats and realleges the allegations contained in paragraphs 1 through 13 of this Complaint.

15. 3D has infringed the '435 patent by making, using, offering for sale, and selling RP machines that infringe one or more claims of the '435 patent, and by inducing and contributing to the infringement of the '435 patent by others.

16. Objet has suffered harm, including irreparable harm, as a result of 3D's infringement of the '435 patent. Objet will continue to suffer such harm in the future unless 3D is enjoined from further infringement of the '435 patent.

17. 3D has infringed the '435 patent with actual notice and knowledge of that patent. 3D's infringement of the '435 patent has been, and continues to be, willful.

COUNT II
INFRINGEMENT OF U.S. PATENT NO. 5,386,500

18. Objet repeats and realleges the allegations contained in paragraphs 1 through 13 of this Complaint.

19. 3D has infringed the '500 patent by making, using, offering for sale, and selling RP systems that infringe the '500 patent, and by inducing and contributing to the infringement of the '500 patent by others.

20. Objet has suffered harm, including irreparable harm, as a result of 3D's infringement of the '500 patent. Objet will continue to suffer such harm in the future unless 3D is enjoined from further infringement of the '500 patent.

21. 3D has infringed of the '500 patent with actual notice and knowledge of that patent. 3D's infringement of the '500 patent has been, and continues to be, willful.

COUNT III
INFRINGEMENT OF U.S. PATENT NO. 5,519,816

22. Objet repeats and realleges the allegations contained in paragraphs 1 through 13 of this Complaint.

23. Upon information and belief, the facts alleged in paragraphs 24-26 are likely to have evidentiary support after a reasonable opportunity for further investigation and discovery.

24. 3D has infringed the '816 patent by making, using, offering for sale, and selling RP systems that infringe the '816 patent, and/or by inducing and contributing to the infringement of the '500 patent by others.

25. Objet has suffered harm, including irreparable harm, as a result of 3D's infringement of the '816 patent. Objet will continue to suffer such harm in the future unless 3D is enjoined from further infringement of the '816 patent.

26. 3D has infringed the '816 patent with actual notice and knowledge of that patent. 3D's infringement of the '816 patent has been, and continues to be, willful.

GENERAL ALLEGATIONS –DECLARATORY JUDGMENT

27. On or about October 26, 2004, 3D filed a complaint for patent infringement against Objet and Stratasys in the United States District Court for the District of New Jersey (hereinafter "the New Jersey Action"). In the New Jersey Action, 3D has asserted that Objet and Stratasys have infringed the following six patents: U.S. Patent No. 5,136,515 entitled "Method And Means For Constructing Three-Dimensional Articles By Particle Deposition"; U.S. Patent No 6,136,252 entitled "Apparatus For Electro-Chemical Deposition With Thermal Anneal Chamber"; U.S. Patent No. 6,193,923 entitled "Selective Deposition Modeling Method And Apparatus For Forming Three-Dimensional Objects And Supports"; U.S. Patent No. 6,508,971 entitled "Selective Deposition Modeling Method And Apparatus For Forming Three-Dimensional Objects And Supports"; U.S. Patent No. 6,532,394 entitled "Method And Apparatus For Data Manipulation And System Control In A Selective Deposition Modeling System"; and U.S. Patent No. 6,660,209 entitled "Selective Deposition Modeling Method And Apparatus For Forming Three-Dimensional Objects And Supports." These six patents are referred to herein as "the 3D patents."

28. Stratasys has moved to transfer the New Jersey Action to the District of Minnesota; the motion currently is pending before the New Jersey Court.

29. As a result of 3D's filing of the Complaint in the New Jersey Action, an actual controversy exists as to whether Objet and Stratasys are liable to 3D for infringement of the 3D patents. Objet and Stratasys have an obviously reasonable apprehension of being sued because 3D has already sued them once, albeit in an inconvenient jurisdiction.

**COUNT IV
DECLARATION OF NON-INFRINGEMENT OF THE 3D PATENTS**

30. Objet and Stratasys repeat and reallege the allegations contained in paragraphs 1-9 and 27-29 of this Complaint.

31. Objet and Stratasys have not directly infringed, contributorily infringed, or induced others to infringe any of the 3D patents.

32. Objet and Stratasys are not liable to 3D for infringement of the 3D patents.

**COUNT V
DECLARATION OF INVALIDITY OF THE 3D PATENTS**

33. Objet and Stratasys repeat and reallege the allegations contained in paragraphs 1-9 and 27-32 of this Complaint.

34. The 3D patents are invalid and void on the ground that the purported invention attempted to be patented therein fails to meet the conditions of patentability specified in 35 U.S.C. §§ 102, 103, and/or 112.

35. Objet and Stratasys are not liable to 3D for infringement of the 3D patents.

PRAYER FOR RELIEF

WHEREFORE, Objet and Stratasys pray for the following relief:

A. A judgment that 3D has infringed U.S. Patent Nos. 5,287,435, 5,386,500 and 5,519,816;

B. A preliminary injunction enjoining and restraining 3D, its officers, directors, agents, servants, employees, attorneys and all others acting under or through them, directly or indirectly, from infringing U.S. Patent Nos. 5,287,435, 5,386,500, and 5,519,816;

C. A permanent injunction enjoining and restraining 3D, its officers, directors, agents, servants, employees, attorneys, and all others acting under or through them, directly or indirectly, from infringing U.S. Patent Nos. 5,287,435, 5,386,500 and 5,519,816;

D. A judgment and order requiring 3D to pay to Objet appropriate damages under 35 U.S.C. § 284, including treble damages and prejudgment interest;

E. A judgment that Objet and Stratasys are not liable to 3D for infringement of U.S. Patent Nos. 5,136,515, 6,136,252, 6,193,923, 6,508,971, 6,532,394 and 6,660,209;

F. A judgment that Objet and Stratasys have not directly infringed, contributorily infringed, or induced others to infringe any claim of U.S. Patent Nos. 5,136,515, 6,136,252, 6,193,923, 6,508,971, 6,532,394 and 6,660,209;

G. A judgment that U.S. Patent Nos. 5,136,515, 6,136,252, 6,193,923, 6,508,971, 6,532,394 and 6,660,209 are invalid.

H. A judgment and order requiring 3D to pay the costs of this action, including all disbursements and attorney fees, with prejudgment interest; and

I. Such other and further relief as this Court deems just and proper.

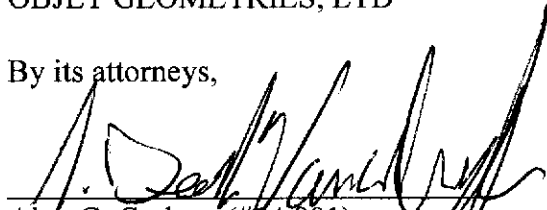
DEMAND FOR JURY TRIAL

Objet and Stratasys hereby demand a trial by jury of all issues so triable.

Respectfully submitted,

OBJET GEOMETRIES, LTD

By its attorneys,



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Respectfully submitted,

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By its attorneys,



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